

EXHIBIT A

Long, Betsy

From: Alan Littmann <alittmann@goldmanismail.com>
Sent: Sunday, December 3, 2023 10:23 PM
To: Reisner, Daniel; DeWitt, Amy; Charter-Entropic 22cv125; zzz.External.ddacus@dacusfirm.com
Cc: Entropic Charter Litigation; GITBB-Entropic; zzz.External.andrea@wsfirm.com; bridgesip@icloud.com
Subject: RE: Entropic v Charter: Deposition Scheduling

External E-mail

Dan,

We appreciate your response and offer to withdraw Dr. Almeroth's reliance on supplemental report paragraphs 11 and 20. We have a few additional questions, however, that will help us understand your proposal.

First, can you please confirm that Charter will not present any evidence, by any means or witness, regarding the substance of those paragraphs.

Second, can you confirm that Charter will withdraw DTX-24 from the exhibit list and will not be using it affirmatively, and that no witness will rely on it?

Third, can you confirm Dr. Almeroth will not offer the opinion in paragraph 11 that, "there can be no infringement of the asserted method claims of the '682 patent if the method is not practiced, which is fully the case due to the termination."

While we continue to discuss these issues, can you please let us know the availability of the witnesses by EOD Wednesday?

Thanks,
Alan

Alan Littmann
200 South Wacker Dr., 22nd Floor, Chicago, IL 60606
P 312-881-5969 C 312-404-1871 F 312-380-7019
goldmanismail.com

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From: Reisner, Daniel <Daniel.Reisner@arnoldporter.com>
Sent: Sunday, December 3, 2023 4:02 PM
To: Alan Littmann <alittmann@goldmanismail.com>; DeWitt, Amy <Amy.DeWitt@arnoldporter.com>; Charter-Entropic 22cv125 <Charter-Entropic22cv125@arnoldporter.com>; ddacus@dacusfirm.com
Cc: Entropic Charter Litigation <Entropic-CharterLit@klgates.com>; GITBB-Entropic <GITBB-Entropic@goldmanismail.com>; andrea@wsfirm.com; bridgesip@icloud.com
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Alan,

Almeroth will not rely on his supplemental report paragraphs 11 and 20, therefore the depositions referenced in Dkt. # 358 are not needed.

Dan

From: Alan Littmann <alittmann@goldmanismail.com>

Sent: Saturday, December 2, 2023 12:58 PM

To: Reisner, Daniel <Daniel.Reisner@arnoldporter.com>; DeWitt, Amy <Amy.DeWitt@arnoldporter.com>; Charter-Entropic 22cv125 <Charter-Entropic22cv125@arnoldporter.com>; zzz.External.ddacus@dacusfirm.com <ddacus@dacusfirm.com>

Cc: Entropic Charter Litigation <Entropic-CharterLit@klgates.com>; GITBB-Entropic <GITBB-Entropic@goldmanismail.com>; zzz.External.andrea@wsfirm.com <andrea@wsfirm.com>; bridgesip@icloud.com

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Thanks Dan. Yes, we agree to Amy's proposal below.

Please let us by EOD Sunday regarding the availability of Mr. Stafford and the corporate designee so that those depositions can occur by December 6, as ordered by the Court.

Alan Littmann

200 South Wacker Dr., 22nd Floor, Chicago, IL 60606

P 312-881-5969 C 312-404-1871 F 312-380-7019

goldmanismail.com

GOLDMAN ISMAIL TOMASELLI BRENNAN & BAUM LLP

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From: Reisner, Daniel <Daniel.Reisner@arnoldporter.com>

Sent: Saturday, December 2, 2023 11:45 AM

To: DeWitt, Amy <Amy.DeWitt@arnoldporter.com>; Alan Littmann <alittmann@goldmanismail.com>; Charter-Entropic 22cv125 <Charter-Entropic22cv125@arnoldporter.com>; ddacus@dacusfirm.com

Cc: Entropic Charter Litigation <Entropic-CharterLit@klgates.com>; GITBB-Entropic <GITBB-Entropic@goldmanismail.com>; andrea@wsfirm.com; bridgesip@icloud.com

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Alan, now that Entropic has dropped the '362 patent, there is no basis for the WH-DVR spreadsheet deposition. Please confirm that you agree so we can free up Mr. Hockenhull.

Dan

From: DeWitt, Amy <Amy.DeWitt@arnoldporter.com>

Sent: Friday, December 1, 2023 2:14 PM

To: zzz.External.alittmann@goldmanismail.com <alittmann@goldmanismail.com>; Charter-Entropic 22cv125 <Charter-Entropic22cv125@arnoldporter.com>; zzz.External.ddacus@dacusfirm.com <ddacus@dacusfirm.com>
Cc: Entropic Charter Litigation <Entropic-CharterLit@klgates.com>; GITBB-Entropic <GITBB-Entropic@goldmanismail.com>; zzz.External.andrea@wsfirm.com <andrea@wsfirm.com>; bridgesip@icloud.com
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Alan – we are working on the availability of Mr. Stafford and the corporate designee and will respond as soon as we have this information. Additionally, pursuant to the Court's Order in Dkt. 353 that Charter designate a witness who is knowledgeable about the two Whole-Home DVR spreadsheets, Charter designates Nicholas Hockenhull. Mr. Hockenhull is available Wednesday, December 6, from 10-12 a.m. CT and from 2-4 p.m. CT, and available December 7 from 12-4 p.m. CT. Alternatively, if Entropic is willing to forego this deposition, Charter would be willing to forego the deposition ordered by the Court in Dkt. No. 352 regarding secondary considerations.

Thanks,
Amy

From: Alan Littmann <alittmann@goldmanismail.com>
Sent: Friday, December 1, 2023 10:21 AM
To: Charter-Entropic 22cv125 <Charter-Entropic22cv125@arnoldporter.com>; zzz.External.ddacus@dacusfirm.com <ddacus@dacusfirm.com>
Cc: Entropic Charter Litigation <Entropic-CharterLit@klgates.com>; GITBB-Entropic <GITBB-Entropic@goldmanismail.com>; zzz.External.andrea@wsfirm.com <andrea@wsfirm.com>; bridgesip@icloud.com
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Counsel,

In his Order concerning Entropic's motion to strike the opinions of Dr. Almeroth, Judge Payne ordered Charter to make Mr. Stafford and a corporate designee available for one-hour depositions within seven days. Please let us know your availability for these depositions. We are happy to take them in Marshall next week if that is easiest.

Please feel free to call if you'd like to discuss.

Thanks,
Alan

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